Atty. Docket: 59866.000002



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re U.S. Patent Application of:	)
Mads HOLTEN-ANDERSEN, et al.	) Group Art Unit: 1643
Application No.: 09/546,573	) Examiner: S. L. Rawlings
Filing Date: April 10, 2000	)
Title: TISSUE INHIBITOR OF MATRIX METALLOPROTEINASES TYPE-1 (TIMP-1) AS A CANCER MARKER	) ) )

## INFORMATION DISCLOSURE STATEMENT

Commissioner of Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents on the attached listing. This Information Disclosure Statement is being filed before the mailing date of a first Office Action after the filing of a Request for Continued Examination in the above-referenced application.

Applicants respectfully request that the Examiner consider the references cited on the SB-08 form and that the Examiner indicate that the references have been considered in this application by returning a copy of the SB-08 form with the Examiner's initials in the left column per MPEP 609.

References EP 1381631 and EP 1171771 correspond to previously submitted references WO 02/086085 and WO 00/62070 respectively. The website of the European Patent Office (espacenet.com) accessed by Applicants on September 12, 2005 indicated that WO 02/086085 "takes the place of" EP 1381631, and WO 00/62070

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"takes the place of" EP 1171771. Therefore, no copies of EP 1381631 and EP 1171771

are enclosed.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed documents are material or constitute prior art. If the Examiner applies any documents as prior art against any claim in the application and Applicants determine that the cited documents do not constitute prior art under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such

documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 50-0206.

Respectfully submitted,

Date: September 12, 2005

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

TRADEMA Substitute for form 1449A/PTO **Application Number** 09/546,573 **Filing Date** April 10, 2000 INFORMATION DISCLOSURE STATEMENT BY APPLICANT **First Named Inventor HOLTEN-ANDERSEN** (use as many sheets as necessary) **Art Unit** 1643 **Examiner Name** S. L. Rawlings Sheet 1 1 **Attorney Docket Number** 59866.000002 **U.S. PATENT DOCUMENTS** Pages, Columns, Lines, \*Examin **DOCUMENT NUMBER** Where Relevant Cite Name of Patentee or Number - Kind Code (if **Publication Date** Passages or Relevant Initials No. known) MM-DD-YYYY Applicant of Cited Document Figures Appear 1 US-2004/157278 A1 08/12/2004 Astle, et al. **FOREIGN PATENT DOCUMENTS** FOREIGN PATENT Pages, DOCUMENT Columns, Lines, **TRANSLA** Where Relevant Country Number - Kind TION \*Examin **Publication** Passages or Code: Code (if known) Cite Date Name of Patentee or Relevant Ν Initial No. MM-DD-YYYY Applicant of Cited Document Figures Appear YES 0 2 EΡ 1171771 10/19/2000 Holten-Andersen, et al. 3 EP 1381631 10/31/2002 Pan, et al. П OTHER DOCUMENTS - NON-PATENT LITERATURE DOCUMENTS **TRANSLATIO** \*Examin Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the Cite item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue Ν Initials No. number(s), publisher, city and/or country where published YES 0 **EXAMINER SIGNATURE** DATE CONSIDERED \*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.